

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

IVELIS TORRES : Bankruptcy Case No. 21-10283-TPA
Debtor(s) : Chapter 13

PLAN CONFIRMATION ORDER

A It is hereby **ORDERED** that with the consent of the Debtor(s), the Chapter 13 Plan dated May 28, 2021, except as modified herein as checked below, is **CONFIRMED** in accord with *11 USC 1325*. On the effective date of this Order, the Chapter 13 Trustee shall pay administrative, secured and priority creditors identified in the Plan. General unsecured creditors will not receive distributions at least until the government bar date has passed and the Chapter 13 Trustee has submitted a *Notice of Intention to Pay Claims* to the Court. Confirmation of this Plan pursuant to this Order is without prejudice to reconsideration following a status conference held by the Chapter 13 Trustee to gauge the progress of Plan implementation which **Status Conference** is scheduled for *N/A* which may, upon agreement of the Parties, be continued from time to time *provided however* that following the 3rd continuance, the matter shall be set for hearing before the Court), following which time the Plan may be modified to the satisfaction of all Parties after notice and hearing before the Court, or the status conference may be marked closed by the Chapter 13 Trustee.

1. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: **Quicken Loans CL#6**
2. **Erie FCU CL#2** will govern as to the amount with the payment to be determined by the Trustee.

B IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:

1. **Objections to the Plan:** This Order is effective as of the date indicated below. Pursuant to *Fed.R.Bankr.P. 2002(b)*, any party in interest with an objection to any provision of this Confirmation Order must file a written objection within the twenty-eight (28) day period following entry of this Order. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may only disburse funds pursuant to this confirmation order upon expiration of the foregoing twenty-eight (28) day period.

2. **Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

3. **Review of Claims Docket and Objections to Claims.** Pursuant to *LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review all proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

4. **Motions or Complaints Pursuant to §§506, 507, or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

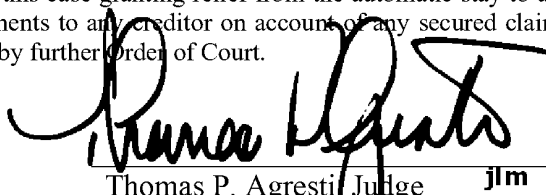
5. **Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the Plan. Debtor(s) shall also file

an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

C IT IS FURTHER ORDERED THAT:

1. Plan terms are subject to the resolution of: timely but yet to be filed claims including government claims; all actions to determine the avoidability, priority or extent of liens, including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
2. Following payment of allowed secured and priority claims the allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
3. After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.
4. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).
5. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' Counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.
6. Debtor(s) shall file an Amended Schedule I in the event of:
 - (a) Household income increases, because of new employment, promotion, or otherwise, since any increase in disposable income shall qualify for modification under §1329 retroactive to the date of the increase.
 - (b) A reduction in payroll withholding (including any Domestic Support Obligation and retirement loan(s) repayments), or any increase of 10% in household income. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the payoff of the obligation or increase in household income.
 - (c) Household income increases by 1% or more over most the recently filed Schedule I. Any indicated increase in disposable income (and the fund created for the benefit of general Unsecured Creditors) is retroactive to the date of the increase in household income.
7. Debtor(s) shall provide Trustee annual tax returns and statements of income and expenses, in accordance with Section 521(f) and (g), and shall file an amended plan reflecting any increase in disposable income retroactive to date of increase.
8. Debtor's counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.
9. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising preconfirmation defaults in any subsequent motion to dismiss.
10. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any secured claim that is secured by the subject property, unless directed otherwise by further Order of Court.

Dated: July 6, 2021
Revised 1/5/2021


Thomas P. Agresti Judge jlm
United States Bankruptcy Court

cc: All Parties in interest to be served by Clerk in seven (7) days

In re:
Ivelis Torres
Debtor

Case No. 21-10283-TPA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-1
Date Rcvd: Jul 12, 2021

User: jmar
Form ID: pdf900

Page 1 of 2
Total Noticed: 21

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 14, 2021:

Recip ID	Recipient Name and Address
db	+ Ivelis Torres, 1553 W 32nd Street, Erie, PA 16508-2262
15377167	+ Erie Federal Credit Union, Attn: Bankruptcy, 3503 Peach Street, Erie, PA 16508-2741
15377168	+ Honorable Timothy S. Beveridge, 1571 West 38th Street, Erie, PA 16508-2348
15377169	Matthew W. Pomy, Esquire, Weltman, Weinberg & Reis Co., LPA, 436 7th Ave., Suite 2500, Pittsburgh, PA 15219-1842
15387489	+ Quicken Loans, LLC, 635 Woodward Avenue, Detroit, MI 48226-3408

TOTAL: 5

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Jul 12 2021 23:53:23	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15377162	+ Email/Text: bankruptcynotice@1fbusa.com	Jul 12 2021 23:49:00	1st Financial Bank USA, Attn: Bankruptcy, Po Box 1200, North Sioux City, SD 57049-1200
15377163	+ Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 12 2021 23:53:23	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15381554	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 12 2021 23:53:30	Capital One Bank (USA), N.A., by American InfoSource as agent, PO Box 71083, Charlotte, NC 28272-1083
15377164	+ Email/Text: bankruptcy@cavps.com	Jul 12 2021 23:49:00	Cavalry Portfolio Services, Attn: Bankruptcy, 500 Summit Lake Drive, Suite 400, Vahalla, NY 10595-2322
15385305	+ Email/Text: bankruptcy@cavps.com	Jul 12 2021 23:49:00	Cavalry SPV I, LLC, 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-2321
15377165	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 12 2021 23:53:30	Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15379320	Email/Text: mrdiscen@discover.com	Jul 12 2021 23:49:00	Discover Bank, Discover Products Inc, PO Box 3025, New Albany, OH 43054-3025
15377166	+ Email/Text: mrdiscen@discover.com	Jul 12 2021 23:49:00	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15390826	Email/PDF: resurgentbknofications@resurgent.com	Jul 12 2021 23:53:24	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15381771	Email/PDF: pa_dc_claims@navient.com	Jul 12 2021 23:53:30	NAVIENT PC TRUST, C/O Navient Solutions, LLC., PO BOX 9640, Wilkes-Barre, PA 18773-9640
15377170	+ Email/PDF: pa_dc_claims@navient.com	Jul 12 2021 23:53:23	Navient, Attn: Bankruptcy Dept., PO Box 9500, Wilkes Barre, PA 18773-9500
15377171	+ Email/Text: bankruptcyteam@quickenloans.com	Jul 12 2021 23:49:00	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-3573
15377172	+ Email/PDF: gecscedi@recoverycorp.com		

District/off: 0315-1

User: jmar

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Date Rcvd: Jul 12, 2021

Form ID: pdf900

Total Noticed: 21

		Jul 12 2021 23:53:23	Synchrony Bank, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15377729	+ Email/PDF: gecsed@recoverycorp.com	Jul 12 2021 23:53:23	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15377173	+ Email/PDF: gecsed@recoverycorp.com	Jul 12 2021 23:53:29	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 16

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Quicken Loans, LLC
15377174	*+	1st Financial Bank USA, Attn: Bankruptcy, Po Box 1200, North Sioux City, SD 57049-1200
15377175	*+	Capital One, Attn: Bankruptcy, Po Box 30285, Salt Lake City, UT 84130-0285
15377176	*+	Cavalry Portfolio Services, Attn: Bankruptcy, 500 Summit Lake Drive, Suite 400, Vahalla, NY 10595-2322
15377177	*+	Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bk dept, Po Box 790034, St Louis, MO 63179-0034
15377178	*+	Discover Financial, Attn: Bankruptcy, Po Box 3025, New Albany, OH 43054-3025
15377179	*+	Erie Federal Credit Union, Attn: Bankruptcy, 3503 Peach Street, Erie, PA 16508-2741
15377180	*+	Honorable Timothy S. Beveridge, 1571 West 38th Street, Erie, PA 16508-2348
15377181	*	Matthew W. Pomy, Esquire, Weltman, Weinberg & Reis Co., LPA, 436 7th Ave., Suite 2500, Pittsburgh, PA 15219-1842
15377182	*+	Navient, Attn: Bankruptcy Dept., PO Box 9500, Wilkes Barre, PA 18773-9500
15377183	*+	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-3573
15377184	*+	Synchrony Bank, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15377185	*+	Synchrony Bank/Lowes, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060

TOTAL: 1 Undeliverable, 12 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 14, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 12, 2021 at the address(es) listed below:

Name	Email Address
Maria Miksich	on behalf of Creditor Quicken Loans LLC mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Rebeka Seelinger	on behalf of Debtor Ivelis Torres rebeka@seelingerlaw.com
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 4